



mwe.com

Michael B. Kimberly  
Attorney at Law  
mkimberly@mwe.com  
+1 202 756 8901

July 30, 2021

VIA ELECTRONIC FILING

Hon Deborah K. Chasanow  
U.S. District Court for the District of Maryland  
6500 Cherrywood Lane  
Greenbelt, Maryland 20770

Re: *Chamber of Commerce v. Franchot*, No. 1:21-cv-410-DKC

Dear Judge Chasanow,

I write in response to the Court's paperless order concerning page limits, issued earlier today. Plaintiffs' 61-page brief (Dkt. 31-1), filed yesterday, is a consolidated brief that combines plaintiffs' opposition to the State's motion to dismiss (Dkt. 29) with their memorandum in support of their cross-motion for summary judgment (Dkt. 31).

In the course of negotiating the briefing schedule, the parties discussed page lengths for the briefs. The parties expressed a mutual understanding of the Local Rules that, although they are silent on the topic, any consolidated brief would be subject to a page limit equal to the sum of the respective page limits for the individual briefs comprising the consolidated brief. Because Local Rule 105.3 affords parties 35 pages for an opposition brief and 35 pages for a memorandum in support of a motion, plaintiffs concluded, consistent with this understanding, that they had a 70-page limit for their consolidated brief. The 61-page brief filed yesterday is under that limit.

Plaintiffs sincerely regret if they misunderstood how the Court's rules apply to consolidated briefs in these circumstances. To avoid any further misunderstanding or confusion by the parties, we are filing concurrently with this letter a joint motion to set page limits, including a request for leave, *nunc pro tunc*, for plaintiffs to file a consolidated principal brief of 61 pages.

Sincerely,